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OGC Has Reviewed

18 August 1955

MEMORANDUM FOR: Office of General Counsel

SUBJECT: Post Differential - [REDACTED]

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1. Attached for your review is a copy of a memorandum from this office to the Deputy Assistant Director for Personnel through Special Contracting, Allowances and Processing Staff dated 25 January 1955 and a copy of the reply from that office dated 7 March 1955 regarding [REDACTED] entitlement to post differential and quarters allowance subsequent to her marriage in the field. Also attached is a copy of pertinent parts of a dispatch from Chief, Far East Division to the Chief of Station, [REDACTED] dated 7 April 1952.

2. It will be noted that on the basis of certain facts which are contained in paragraph one of his memorandum, the Director of Personnel has determined that [REDACTED] primary reason for being at the post was to be with her intended husband and not for the convenience of the Government and is, therefore, denied the post differential. Mrs. [REDACTED], who is now at Headquarters PCS, heartily disagrees with this determination and states that her reason for acceptance of an assignment to [REDACTED] was most definitely for the convenience of the Government and not for the purpose of marrying Mr. [REDACTED]. At the time of her assignment to [REDACTED] she states she had been a loyal KUBARK employee for five and one-half years, most of which was served overseas. She further states that Mr. [REDACTED] had been in the Far East for a period of sixteen months prior to her arrival in [REDACTED], and that if she had traveled to [REDACTED] at her own expense for the purpose of marrying Mr. [REDACTED], his company would have reimbursed her travel expenses.

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3. Mrs. [REDACTED] states she signed a staff employee's contract and was told she would receive the salary differential and allowances in effect for duty in Taipei. At the time of her marriage she states her husband was employed by a private company and did not then nor subsequently receive any salary differential or allowances.

4. In a recent dispatch from the Chief of Station, [REDACTED] certain additional facts are mentioned which have a bearing on the case at hand. Paragraph two of this dispatch reads in part as follows:

"It is the strong opinion of this Station that [REDACTED] should be authorized post differential and quarters allowance. The marriage, if anything, added to the efficiency, stability

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and general working attitude of the employee. It was [REDACTED] benefit that [REDACTED] continued to work for the organization. [REDACTED] was led to believe that marriage would not change her salary contract. [REDACTED] could have readily secured employment elsewhere at an equal or higher salary. She worked long hours under difficult circumstances as her efficiency reports reflect. It is most disheartening now that the Finance Division should come out with an adverse ruling regarding [REDACTED] allowances."

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5. It may be mentioned here that Mrs. [REDACTED] ^{25X1A9a} states that after having completed her two-year tour of duty, she extended for an additional nine months at the request of the station pending the arrival of her replacement.

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6. From the attached correspondence, you will notice that the Director of Personnel, while denying payment of the post differential, has determined that [REDACTED] is entitled to a quarters allowance of one half of the joint expenses for quarters or one half of the maximum with family rate applicable to her grade whichever is the lesser.

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7. Mrs. [REDACTED] has requested that your office review all of the above facts from a legal standpoint and advise this office of your determination as to her eligibility to receive a post differential. Since she plans to resign from the Agency in the near future, anything you can do to facilitate your reply will be greatly appreciated.

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[REDACTED]
Chief, Payroll and Travel Branch
Finance Division

3 Attachments

*Note Attachments sent to C/FE w/o DC memo dtd 31 Aug 55
on same subject.*

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ORIGINAL DOCUMENT MISSING PAGE(S):

no att.